

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICHARD ERIN GRAY, SR.,

Plaintiff,

vs.

CITY OF SAINT PAUL, et al.,

Defendants.

8:16CV320

**MEMORANDUM
AND ORDER**

On September 1, 2016, the court ordered Plaintiff to file an amended complaint by September 30, 2016, or face dismissal of this action. ([Filing No. 7.](#)) On September 20, 2016, the court granted Plaintiff an extension until October 31, 2016, to file an amended complaint. (Filing No. 9.) To date, Plaintiff has not filed an amended complaint or taken any other action in this matter.

IT IS THEREFORE ORDERED that: This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this court's order to file an amended complaint that complied with Rule 8 of the Federal Rules of Civil Procedure. The court will enter judgment by a separate document.

Dated this 17th day of January, 2017.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge